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Government of Kerala
1977

Reg. No. KL/TV/12

# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

**Vol. XXII ]Trivandrum, Wednesday, 24th August 1977 / 2nd Bhadra 1899 [No. 492**

GOVERNMENT OF KERALA

**Labour (F) Department**

NOTIFICATION

No. 20852/F2/77/LBR. *Dated, Trivandrum,* 24*th August* 1977.

**S. R. O. No. 763/77.**—In exercise of the powers conferred by sub-section (5) of section 1 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), the Government of Kerala having already given six months' notice as required thereunder, vide the Government of Kerala Notification No. 30532/E2/76/LBR dated 1-11-1976 published as S. R. O. No. 1112/76 in the State Gazette dated 1-1-1976 hereby appoints the midnight of 3rd September 1977 as the date on which all the provisions of the said Act shall extend to the classes of establishments and in areas as specified in the schedule annexed hereto:—

SCHEDULE

| *Description of establishment* | *Areas in which the establishments are situated* |
|---|---|
| (1) | (2) |
| The following establishments whereon twenty or more persons are employed, or were employed for wages on any day of the preceding twelve months, namely:—<br>(i) Hotels;<br>(ii) Restaurants;<br>(iii) Shops; | 1. Karamuku, Veluthur, Nattika, Vadanappally, Chevoor, Vallachira and Kallur areas in Trichur District;<br>2. Pallichal, Athiyannoor, Kottukal and Karakulam in Trivandrum District. |

33/3064/MC.

| (1) | (2) |
|---|---|
| (iv) Road Motor Transport Establishments; | |
| (v) Cinemas including preview theatres; | |
| (vi) Newspaper Establishments as defined in Section 2 (d) of the Working Journalists (Conditions of Service and Miscellaneous Provisions) Act, 1955 (45 of 1955). | |
| 2. Any premises including the precincts thereof whereon 10 or more persons but in any case less than twenty persons are employed or were employed for wages on any of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on but excluding a mine, subject to the operation of the Mines Act, 1952 (Central Act 35 of 1952) or a railway running shed or an establishment which is exclusively engaged in any of the manufacturing process specified in clause (12) of Section 2 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948). | |
| 3. Any premises including precincts thereof whereon 20 or more persons are employed or were employed for wages on any day of the preceding twelve months and in any part of which a manufacturing process is being carried on without the aid of power, or is ordinarily so carried on; but excluding a mine subject to the operation of the Mines Act, 1952 (Central Act 35 of 1952) or a railway running shed or an establishment which is exclusively | |

| (1) | (2) |
|---|---|
| engaged in any of the manufacturing processes specified in clause (12) of section 2 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948). | |

By order of the Governor,

P. J. THOMAS,
*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

Government in consultation with the Employees' State Insurance Corporation and with the approval of the Central Government propose to extend the provisions of the Employees' State Insurance Act, 1948 to certain new categories/classes of establishments in the areas as detailed in the notification wherein the Employees' State Insurance Scheme has since been extended by the Central Government under section 1 (3) of the Act.

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Vol. XXII] Trivandrum, Wednesday, 24th August 1977 / 2nd Bhadra 1899 [No. 493

GOVERNMENT OF KERALA

**Labour (A) Department**

G.O. (Ms.) No. 65/77/LBR. *Dated, Trivandrum, 24th August 1977.*

*Read*:—The Report of the Court of Enquiry for Textile Industry by Shri P. Govinda Menon, Retired High Court Judge, published in G. O. (Ms.) 5/76/LBR dated 7-1-1976 as Gazette Extraordinary dated 7-1-1976.

ORDER

In G. O. (Ms.) 3/74/LBR dated 3-1-1974 Government had constituted a Court of Enquiry under the provisions of the Industrial Disputes Act for enquiring into matters appearing to be connected with or relevant to an industrial dispute between the employers of the textile units of the State and their employees in the industry. The report of the Court of Enquiry was received by the Government on 10-11-1975 and it was published as per G. O. (Ms.) 5/76/LBR dated 7-1-1976 in the Kerala Gazette Extraordinary dated 7-1-1976.

The report has been examined by Government. They also held several rounds of discussions with the representatives of the employers and employees on the recommendations.

After a detailed examination of the report, Government accept the recommendations made in the report of the Court of Enquiry with the modification that instead of adopting Trivandrum index as the index common to all the mills in Kerala, the index of the respective centres will be accepted, for working out the benefits allowed, in respect of the mills in the concerned area.

Considering the present financial position of the textile mills in Kerala, Government consider that it is only fair and proper that the managements pay the arrears due to the workers consequent on the acceptance of the recommendations, in instalments.

Government expect the management and the workmen to co-operate and help the smooth implementation of the recommendations of the Court of Enquiry as accepted by Government, thus ensuring industrial peace and harmony in this important industrial sector of the State.

By order of the Governor,

J. S. Badhan,

*Secretary to Government.*

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Vol. XXII] Trivandrum, Wednesday, 24th August 1977 / 2nd Bhadra 1899 [No. 494

GOVERNMENT OF KERALA

**Revenue (R) Department**

NOTIFICATION

No. 20253/R2/77/RD *Dated, Trivandrum, 23rd August 1977.*

**S. R. O. No. 764/77.**—In exercise of the powers conferred by sub-section (2) of section 9 of the Kannan Devan Hills (Resumption of Lands) Act, 1971 (5 of 1971), the Government of Kerala hereby delegate their power of assignment under sub-section (1) of section 9 to the District Collector, Idukki, subject to the provisions of the Kannan Devan Hills (Reservation and Assignment of Vested Lands) Rules, 1977.

By order of the Governor,

S. Padmakumar,
*Special Secretary.*

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GOVERNMENT OF KERALA

**Home (SS-B) Department**

NOTIFICATION

No. 19933/SSB4/77/Home. *Dated, Trivandrum, 24th August 1977*

**S. R. O. No. 765/77.**—Whereas the Government of Kerala have already appointed a Commission of Inquiry as per notification No. 28751/SSA-1/77/Home dated the 9th June, 1977 and published as SRO No. 431/77 in the Kerala Gazette Extraordinary No. 336 dated the 9th June, 1977 for the purpose of making enquiries into certain definite matters of public importance, namely, the alleged taking into custody by the police and subsequent disappearance of Shri Vijayan Nair, S/o Shri N. Purushothaman Pillai, Jalaja Bhavan, Varkala Trivandrum District, Shri Kakkuzhiyil Kannan, Edacherry Amsom, Nadapuram, Kozhikode District and Shri Thandasseri Venugopalan, S/o Thandassery Karappan, Iringapuram, Guruvayoor Police Station limits, Trichur District;

And whereas the Government of Kerala is of opinion that it is necessary to include within the purview of the said notification the alleged taking into custody by the Police and the subsequent disappearance of Shri Vikraman Nair, S/o Chellappan Kani of Malayinkil, Trivandrum District;

Now therefore in exercise of the powers conferred by section 3 of the Commission of Inquiry Act, 1952 (Central Act 60 of 1952) the Government of

Kerala hereby make the following amendment to the notification No. 28751/SSA1/77/Home dated the 9th June, 1977 published as SRO No. 484/77 in the Kerala Gazette Extraordinary No. 336 dated the 9th June, 1977, namely:—

AMENDMENT

In the said Notification—

(1) in the opening paragraph, for the words "and Shri Thandasseri Venugopalan, S/o Thandassery Karappan, Iringapuram, Guruvayoor Police Station limits, Trichur District", the words "Shri Thandasseri Venugopalan S/o Thandassery Karappan, Iringapuram, Guruvayoor Police Station Limits, Trichur District and Shri Vikraman Nair, S/o Chellappan Kani of Malayinkil, Trivandrum District" shall be substituted.

(2) after sub-para (iii) of para 3 of the following sub-para shall be inserted as sub-para (iiiA); namely:—

(iiiA) to enquire into and report (a) whether Shri Vikraman Nair, S/o Chellappan Kani, Malayinkil, Trivandrum District, was actually taken into custody by the police on 24th February, 1977 or on any other date; (b) if he was so taken into custody who took him into custody; and (c) whether he is still in police custody and if not, what happened to him after he was taken into police custody, if he was so taken into custody".

By order of the Governor,

S. NARAYANASWAMY,

*Special Secretary to Government.*

**Explanatory Note**

Government consider that a Judicial probe by Justice Viswanatha Iyer Commission is necessary for bringing to light the facts relating to the case of Shri Vikraman Nair, S/o Chellappan Kani, Malayinkil who is alleged to be missing after he was taken into custody by the police. The notification is intended to achieve the object.

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